

**News for Utah's  
Cosmetology,  
Barbering,  
Electrology,  
Nail Technology,  
and Esthetic  
Professionals**

# Outlook

Department of Commerce, Division of Occupational and Professional Licensing

## Grandfathering Ends December 31

To date, many individuals have applied for and obtained esthetician and nail technician licensure via the "grandfather clause." However, time is running out.

Under the new *Cosmetologist/Barber, Esthetician, Electrologist and Nail Technician Licensing Act*, the option for obtaining licensure under this clause ends Dec. 31, 2001. (See Title 58-11a-302.)

A grandfather clause allows an individual who was practicing in a profession before it became regulated to continue practicing without meeting all of the new licensure requirements. In the development of the regulation for estheticians and nail technicians, a grandfathering provision was included within the revised practice act, provided certain qualifications are met.

However, after Dec. 31, 2001, no one will be allowed to grandfather into the nail technology or esthetic professions, but will be required to meet all qualifications for new licensure.



All applications requesting licensure under this provision must be postmarked by this date or delivered personally to the Division's offices in the main lobby of the Heber M. Wells Building (160 East 300 South, Salt Lake City).

According to Division staff members, the submission of incomplete applications is the biggest problem they are seeing. Many applications lack the appropriate license application fee, and many more are submitted with a copy of the wrong business license. According to the grandfather provision, the individual seeking licensure must submit a copy of a business license from 2000 or earlier.

Applications for all classifications of licensure are available on this website. From DOPL's homepage, select "licensing" and then "occupations and professions." From the alphabetical list, choose "cosmetology" and then select "applications."

### Special Web Edition

As announced in the July edition of *Outlook*, which was mailed with renewal notices, this special web edition is provided to supply additional information on the many recent changes that have occurred within the professions. If you know of someone who has not seen this information, please make them aware of it.

**Thanks!**



### Did you renew or is your license expired?

Look at your blue and white license. Find the expiration date. Does it read "September 30, 2001?" If so, you are practicing illegally under an expired license.

A correctly renewed license will have an expiration date of "September 30, 2003."

Sept. 30, 2001, was the expiration date for all Utah cosmetology/barber, electrology, and cosmetology/barber school licenses. (Apprentice and instructor licenses do not renew.) Renewal information was sent to licensees at the mailing addresses provided to the Division. Unfortunately, however, many licensees fail to notify the Division of mailing address changes. Therefore, many licensees could not be notified of the renewal requirements.

Anyone who did not receive renewal information should contact the Division immediately. The current reinstatement fees for each license classification are as follows:

#### REINSTATEMENT FEES

##### Cosmetologist/Barber

paid after Oct. 30 ..... \$ 90  
(\$40 renewal + \$50 reinstatement)

##### Electrologist

paid after Oct. 30 ..... \$ 70  
(\$20 renewal + \$50 reinstatement)

##### Cosmetology/Barbering School

paid after Oct. 30 ..... \$ 100  
(\$50 renewal + \$50 reinstatement)

# Licensing Board Vacancies Filled

With the recent restructuring of the Cosmetology/Barber, Electrology, Esthetic, and Nail Technology Licensing Board, four new members were recently appointed. The total makeup of the licensing board includes the following nine members.

Board members may serve for no more than two consecutive four-year terms.

## **Gloria Miley, Sandy**

*Public Member*

appointed: July 1, 2001  
term expires: June 30, 2002

## **Susan A. Kemp, Salt Lake City**

*Electrologist*

appointed: July 1, 1999  
term expires: June 30, 2003

## **Carol Berthelson, Richfield**

*Nail Technician School Rep. & Instructor*

appointed: July 1, 1999  
term expires: June 30, 2003

## **Sandra Shipman, Murray**

*Cosmetologist / Barber*

appointed: July 1, 2000  
term expires: June 30, 2004

## **Brenda Scharman, Salt Lake City**

*Cosmo/Barber School Rep. & Instructor*

appointed: July 1, 1996  
term expires: June 30, 2004

## **Sara Navarrete, Midvale**

*Public Member*

appointed: July 1, 2000  
term expires: June 30, 2004

## **Ruth Ann Holloway, Providence**

*Master Esthetician*

appointed: July 1, 2001  
term expires: June 30, 2005

## **Lenette Johnson-Casper, Salt Lake City**

*Esthetician School Rep. & Instructor*

appointed: July 1, 2001  
term expires: June 30, 2005

## **Monica L. Bruin, Sandy**

*Nail Technician*

appointed: July 1, 2001  
term expires: June 30, 2005

## Don't Forget! Citation Authority now Exists

Included in the recent amendments to the Cosmetologist/Barber, Esthetician, Electrologist, and Nail Technician Licensing Act, the Utah Legislature also added a new education and enforcement tool: the "Cosmetologist/Barber, Esthetician, Electrologist, and Nail Technician Education and Enforcement Fund."

As outlined in Title 58-11a-103, the Fund is to be comprised of monies collected from administrative penalties (fines/citations) collected for acts of unlawful conduct in violation of the professions' practice act. Such infractions may include:

- practicing or engaging in, or attempting to engage in activity for which a license is required without being properly exempted from licensure
- knowingly employing any other person to engage in or practice or attempt to engage in or practice any occupation or profession for which a license is required if the employee is not licensed as such or is not properly exempted from licensure

The penalty for such violations, which are acts of unlawful conduct, include:

- first offense: a fine of up to \$1,000
- second offense: a fine of up to \$2,000
- continuing offense: a fine of up to \$2,000 per day



Any fine or citation monies collected and deposited into the Education and Enforcement Fund

may be used for the following as determined by the Division and Licensing Board:

- educating and training licensees within the respective professions
- educating and training the public or other applicable individuals regarding the laws governing the practice of the respective professions
- investigating and legally representing unprofessional or unlawful actions within the respective professions

## Outlook

is published as a means of providing Utah's licensed cosmetologist/barbers electrologists, estheticians, and nail technologists with information necessary to help them be successful in their profession and to competently serve the people of the state of Utah.

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Board Appointments ..... (801) 530-6740  
License Applications ..... (801) 355-5009  
Examination Scheduling ... (801) 355-5009  
Reporting Violations ..... (801) 530-6630  
NCA of Utah ..... (801) 798-8724  
Division Fax Number ..... (801) 530-6511

# Full Text of New Practice Act Rules -- Effective September 17, 2001

## **R156. Commerce, Occupational and Professional Licensing.**

### **R156-11a. Cosmetologist/Barber, Esthetician, Electrologist, and Nail Technician Licensing Act Rules.**

#### **R156-11a-101. Title.**

These rules are known as the "Cosmetologist/Barber, Esthetician, Electrologist, and Nail Technician Licensing Act Rules."

#### **R156-11a-102. Definitions.**

In addition to the definitions in Title 58, Chapters 1 and 11a, as used in Title 58, Chapters 1 and 11a or these rules:

(1) "Advanced pedicures", as used in Subsection 58-11a-102(27)(a)(i)(D), means cleaning, trimming and caring of the nail, cuticles, and calluses of the feet utilizing various equipment, instruments, implements as well as topical products and preparations.

(2) "BCA acid" means bicloroacetic acid.

(3) "Being engaged in the practice of esthetics", as used in Subsections 58-11a-302(7)(d)(iii) and (iv), means having been engaged in a scope of practice that includes at least 50% of the modalities listed in Subsection 58-11-102(25).

(4) "Being engaged in the practice of master esthetics", as used in Subsections 58-11a-302(8)(d)(iii) and (v), means having been engaged in a scope of practice that includes at least 50% of the modalities listed in Subsection 58-11a-102(27).

(5) "Body wraps", as used in Subsection 58-11a-102(27)(a)(i)(A), means body treatments utilizing products or equipment to enhance and maintain the texture, contour, integrity and promote the health of the skin and body.

(6) "Chemical exfoliation", as used in Subsection 58-11a-102(27)(a)(i)(C), means a resurfacing procedure performed with a chemical solution or product for the purpose of removing superficial layers of the epidermis to a point no deeper than the stratum corneum.

(7) "Dermabrasion or open dermabrasion" means the surgical application of a wire or diamond frieze by a physician to abrade the skin to the epidermis and possibly down to the papillary dermis.

(8) "Dermaplane" means the use of a scalpel or bladed instrument by a physician to shave the upper layers of the stratum corneum.

(9) "Equivalent number of credit hours" means:

(a) the following conversion table if on a semester basis:

(i) theory - 1 credit hour - 30 clock hours;

(ii) practice - 1 credit hour - 30 clock hours; and

(iii) clinical experience - 1 credit hour - 45 clock hours; and

(b) the following conversion table if on a quarter basis:

(i) theory - 1 credit hour - 20 clock hours;

(ii) practice - 1 credit hour - 20 clock hours; and

(iii) clinical experience - 1 credit hour - 30 clock hours.

(10) "Exfoliation" means the sloughing off of non-living skin cells by very superficial and non-invasive means.

(11) "Galvanic current" means a constant low-voltage direct current.

(12) "Health care practitioner" means a physician/surgeon licensed under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58, Chapter 68, Utah Osteopathic Medical Practice Act, an advanced practice registered nurse licensed under Title 58, Chapter 31b, Nurse Practice Act, or a physician assistant licensed under Title 58, Chapter 70, Physician Assistant Act.

(13) "Hydrotherapy", as used in Subsection 58-11a-102(27)(a)(i)(B), means the use of water for cosmetic purposes or beautification of the body.

(14) "Limited chemical exfoliation" means an extremely gentle chemical exfoliation.

(15) "Manipulating", as used in Subsection 58-11a-102(25)(a), means applying a light pressure by the hands to the skin.

(16) "Manual lymphatic massage", as used in Subsection 58-11a-102(25)(b), means a method using light pressure applied by manual or other means to the skin in specific

maneuvers to promote drainage of the lymphatic fluid through the tissue.

(17) "Microdermabrasion", as used in Subsection 58-11a-102(27)(a)(i)(E), means a gentle, progressive, superficial, mechanical exfoliation of the uppermost layers of the stratum corneum using a closed-loop vacuum system.

(18) "Patch test" or "predisposition test" means applying a small amount of a chemical preparation to the skin of the arm or behind the ear to determine possible allergies of the client to the chemical preparation.

(19) "Supervision by a licensed health care practitioner" means a health care practitioner who, acting within the scope of the licensee's license, authorizes and directs the work of a licensee pursuant to this chapter in the treatment of a patient of the health care practitioner while:

(a) the health care practitioner is physically located on the premises and is immediately available to care for the patient if complications arise; or

(b) the patient is physically located on the premises of the health care practitioner.

(20) "TCA acid" means trichloroacetic acid.

(21) "Unprofessional conduct" is further defined, in accordance with Subsection 58-1-203(5), in Section R156-11a-501.

#### **R156-11a-103. Authority - Purpose.**

These rules are adopted by the division under the authority of Subsection 58-1-106(1) to enable the division to administer Title 58, Chapter 11a.

#### **R156-11a-104. Organization - Relationship to Rule R156-1.**

The organization of this rule and its relationship to Rule R156-1 is as described in Section R156-1-107.

#### **R156-11a-301. Change of Legal Entity.**

In accordance with Section 58-11a-301, a school shall be required to submit a new application for licensure upon any change of legal entity status. The new legal entity may not engage in practice as a licensed school, pursuant to Subsections 58-11a-102(14), (15), (16), and (17), until the application is approved and a license issued.

#### **R156-11a-302a. Qualifications for Licensure - Examination Requirements.**

In accordance with Section 58-11a-302, the various examination requirements for licensure are established as follows:

(1) Applicants for licensure as a cosmetologist/barber shall:

(a) pass the Utah Law and Rules Examination with a score of at least 75%;

(b)(i) pass the Utah Cosmetology/Barber Theory Exam with a score of at least 75%;

or

(ii) pass the National-Interstate Council of State Boards of Cosmetology National examination with a passing score as established by the Council of State Boards of Cosmetology; and

(c)(i) pass the Utah Cosmetology/Barber Practical Exam or an equivalent exam as established by the Division in collaboration with the Board; or

(ii) have practiced as a licensed cosmetologist/barber in another state for a period of not less than 4,000 hours.

(2) Applicants for licensure as a cosmetologist/barber instructor shall pass the following:

(a) the Utah Cosmetologist/Barber Instructor Licensing Examination with a passing score of at least 75%; and

(b) the Utah Law and Rules Examination with a passing score of at least 75%.

(3) Applicants for licensure as an electrologist shall pass the following:

(a)(i) the National-Interstate Council of State Boards of Cosmetology Electrologist test with a passing score as established by the Council of State Boards of Cosmetology; or

(ii) the Utah Electrologist Theory Examination;

(b) the Utah Law and Rules Examination with a passing score of at least 75%; and

(c) the Utah Electrology Practical Examination.

(4) Applicants for licensure as an electrologist instructor shall pass the following:

- (a) the Utah Electrologist Instructor Examination with a passing score of at least 75%; and
- (b) the Utah Law and Rules Examination with a passing score of at least 75%.
- (5) Applicants for licensure as an esthetician shall pass the following:
  - (a) if applying for licensure under Subsections 58-11a-302(7)(d)(i) or (ii):
    - (i) the Utah Law and Rules Examination with a passing score of at least 75%;
    - (ii) (A) the Utah Esthetics Theory Examination with a passing score of at least 75%; or
    - (B) the National-Interstate Council of State Board of Cosmetology National Esthetics examination with a passing score as established by the Council of State Boards of Cosmetology; and
    - (iii) the Utah Esthetics Practical Examination or an equivalent exam as established by the Division in collaboration with the Board;
  - (b) if applying for licensure under Subsections 58-11a-302(7)(d)(iii) or (iv), no examination is required; or
  - (c) if applying for licensure under Subsection 58-11a-302(7)(d)(v):
    - (i) the Utah Esthetics Theory Examination with a passing score of at least 75%; or
    - (ii) the National-Interstate Council of State Boards of Cosmetology National Esthetics examination with a passing score as established by the Council of State Boards of Cosmetology.
- (6) Applicants for licensure as a master esthetician shall pass the following:
  - (a) if applying for licensure under Subsections 58-11a-302(8)(d)(i) or (ii):
    - (i) the Utah Law and Rules Examination with a passing score of at least 75%;
    - (ii) the Utah Master Esthetician Theory Examination with a passing score of at least 75%; and
  - (iii) the Utah Master Esthetician Practical Examination or an equivalent exam as established by the Division in collaboration with the Board;
  - (b) if applying for licensure under Subsections 58-11a-302(8)(d)(iii) or (iv), no examination is required; or
  - (c) if applying for licensure under Subsection 58-11a-302(8)(d)(v), the Utah Master Esthetician Theory Examination.
- (7) Applicants for licensure as an esthetician instructor shall pass the following:
  - (a) the Utah Esthetician Instructor Examination with a passing score of at least 75%; and
  - (b) the Utah Law and Rules Examination with a passing score of at least 75%.
- (8) Applicants for licensure as a Nail Technician shall pass the following:
  - (a) if applying for licensure under Subsections 58-11a-302(11)(d)(i) or (ii):
    - (i) the Utah Law and Rules Examination with a passing score of at least 75%;
    - (ii)(A) the Utah Nail Technician Theory Examination with a passing score of at least 75%; or
    - (B) the National-Interstate Council of State Boards of Cosmetology National Nail Technician Examination with a passing score as established by the Council of State Boards of Cosmetology; and
    - (iii) pass the Utah Nail Technician Practical Examination or an equivalent exam as established by the Division in collaboration with the Board;
  - (b) if applying for licensure under Subsections 58-11a-302(11)(d)(iii) or (iv), no examination is required; or
  - (c) if applying for licensure under Subsection 58-11a-302(11)(d)(v):
    - (i) the Utah Nail Technician Theory Examination with a passing score of at least 75%; or
    - (ii) the National-Interstate Council of State Boards of Cosmetology National Nail Technician Examination with a passing score as established by the Council of State Boards of Cosmetology.
- (9) Applicants for licensure as a nail technician instructor shall pass the following:
  - (a) the Utah Nail Technician Instructor Examination with a passing score of at least 75%; and
  - (b) the Utah Law and Rules Examination with a passing score of at least 75%.

**R156-11a-302b. Deadline for Making Application under Grandfather Clause.**

Applicants for licensure under the grandfather provisions in Subsections 58-11a-302(7)(d)(iii), (iv), and (v); (8)(d)(iii), (iv), and (v); and (11)(d)(iii), (iv), and (v) must apply for licensure on or before December 31, 2001. Thereafter, all applicants must meet all requirements for initial licensure including those established in Subsections 58-11a-302(7)(d)(i) and (ii), 58-11a-302(8)(d)(i) and (ii) or 58-11a-302(11)(d)(i) and (ii), respectively.

**R156-11a-303. Renewal Cycle - Procedures.**

(1) In accordance with Subsection 58-1-308(1), the renewal date for the two year renewal cycle applicable to licenses and certificates under Title 58, Chapter 11a is established by rule in Section R156-1-308.

(2) Renewal procedures shall be in accordance with Section R156-1-308.

**R156-11a-502. Unprofessional Conduct.**

"Unprofessional conduct" includes:

(1) failing to provide direct supervision of an apprentice, a student attending a cosmetology/barber, esthetics, electrology, or nail technology school, or a student instructor;

(2) failing to obtain accreditation as a cosmetology/barber, esthetics, electrology, or nail technology school in accordance with the requirements of Section R156-11a-601;

(3) failing to maintain accreditation as a cosmetology/barber, esthetics, electrology or nail technology school after having been approved for accreditation;

(4) failing to comply with the standards of accreditation applicable to cosmetology/barber, esthetics, electrology, or nail technology schools;

(5) failing to provide adequate instruction or training as applicable to a student of a cosmetology/barber, esthetics, electrology, or nail technology school or in an approved cosmetology/barber, esthetics, or nail technology apprenticeship;

(6) failing to comply with Title 26, Utah Health Code;

(7) failing to comply with the apprenticeship requirements applicable to cosmetologist/barber, esthetician, master esthetician, or nail technician apprenticeships as set forth in Sections R156-11a-801 through R156-11a-805;

(8) failing to comply with the standards for curriculums applicable to cosmetology/barber, esthetics, electrology, or nail technology schools as set forth in Sections R156-11a-701 through R156-11a-704;

(9) using any device classified by the Food and Drug Administration as a medical device without the supervision of a licensed health care practitioner acting in the scope of the licensee's practice;

(10) performing services within the scope of practice as a master esthetician without having been adequately trained to perform such services;

(11) violating any standard established in Sections R156-11a-601 through R156-11a-612;

(12) as a nail technician, using methyl methacrylate;

(13) performing a procedure while the licensee has a known contagious disease of a nature that may be transmitted by performing the procedure, unless the licensee takes medically approved measures to prevent transmission of the disease; and

(14) performing a procedure on a client who has a known contagious disease of a nature that may be transmitted by performing the procedure, unless the licensee takes medically approved measures to prevent transmission of the disease.

**R156-11a-601. Standards for Accreditation.**

In accordance with Subsections 58-11a-302(3)(c)(iv), 58-11a-302(6)(c)(iv) 58-11a-302(10)(c)(iv), and 58-11a-302(13)(c)(iv), the accreditation standards for a cosmetology/barber school, an electrology school, an esthetics school, and a nail technology school include:

(1) Each school shall be required to become accredited by:

(a) the National Accrediting Commission of Cosmetology Arts and Sciences (NACCAS);

or

(b) other accrediting commissions recognized by the Utah Board of Regents for post secondary schools.

(2) Each school shall maintain and keep the accreditation current.

(3) A new school shall:

(a) submit an application for candidate status for accreditation to an accrediting commission within one month of receiving licensure from the Division as a cosmetology/barber school, an electrology school, an esthetics school, or a nail technology school and shall provide evidence of receiving candidate status from the accrediting commission to the Division within 12 months of the date the school was licensed;

(b) register with the Utah Board of Regents pursuant to Subsection 53B-5-105(1)(e); and

(c) comply with all applicable accreditation standards during the pendency of its application for accreditation status.

(4) The school shall have 24 months following the date of receiving candidate status to be approved for accreditation.

(5) A licensee who fails to obtain or maintain accreditation status, as required herein, shall immediately surrender to the Division its license as a school. Failure to do so shall constitute a basis for immediate revocation of licensure in accordance with Section 63-46b-20.

**R156-11a-602. Standards for the Physical Facility.**

In accordance with Subsections 58-11a-302(3)(c)(iii), 58-11a-302(6)(c)(iii), 58-11a-302(10)(c)(iii) and 58-11a-302(13)(c)(iii), the standards for the physical facility of a cosmetology/barber school, an electrology school, an esthetics school, and a nail technology school shall include:

(1) the governing standards established by the accreditation commission; and

(2) whether or not addressed in the governing standards, each facility shall have the following available:

(a) enough of each type of training equipment so that each student has an equal opportunity to be properly trained;

(b) laundry facilities to maintain sanitation and sterilization; and

(c) appropriate amounts of clean towels, sheets, linen, sponges, headbands, compresses, robes, drapes and other necessary linens for each student's and client's use.

**R156-11a-603. Standards for a Student Kit.**

(1) In accordance with Subsection 58-11a-302(3)(c)(iv), 58-11a-302(6)(c)(iv), 58-11a-302(10)(c)(iv), and 58-11a-302(13)(c)(iv), cosmetology/barber, electrology, esthetics, and nail technology schools shall provide a list of all basic kit supplies needed by each student.

(2) The basic kit may be supplied by the school or purchased independently by the student.

**R156-11a-604. Standards for Prohibition Against Operation as a Salon.**

(1) In accordance with Subsection 58-11a-302(3)(c)(iv), 58-11a-302(6)(c)(iv), 58-11a-302(10)(c)(iv), and 58-11a-302(13)(c)(iv), when a professional salon and a school are under the same ownership or otherwise associated, separate operation of the salon and the school is required.

(2) If the salon and the school are located in the same building, separate entrances and visitor reception areas are required. The salon and the school shall also use separate public information releases, advertisements and names.

**R156-11a-605. Standards for Protection of Students.**

In accordance with Subsections 58-11a-302(3)(c)(iii) and (iv), 58-11a-302(6)(c)(iii) and (iv), 58-11a-302(10)(c)(iii) and (iv), 58-11a-302(13)(c)(iii) and (iv), standards for the protection of students shall include the following:

(1) In the event a school ceases to operate for any reason, the school shall notify the division within 15 days by registered or certified mail and shall name a trustee who will be responsible to maintain the student records. Upon request, the trustee shall provide information such as accumulated student hours and dates of attendance.

(2) Schools shall not use students to perform maintenance, janitorial or remodeling work such as scrubbing floor, walls or toilets, cleaning windows, waxing floors, painting, decorating, or performing any outside work on the grounds or building. Students may be

required to clean up after themselves and to perform or participate in daily cleanup of work areas, including the floor space, shampoo bowls, laundering of towels and linen and other general cleanup duties that are related to the performance of client services.

(3) Schools shall not require students to sell products applicable to their industry as a condition to graduate, but may provide instruction in product sales techniques as part of their curriculums.

(4) Schools shall keep a daily written record of student attendance.

(5) Schools shall not be permitted to remove hours earned by a student. If a student is late for class, the school may require the student to retake the class before giving credit for the class.

**R156-11a-606. Standards for Protection of Schools.**

In accordance with Subsection 58-11a-302(3)(c)(iv), 58-11a-302(6)(c)(iv), 58-11a-302(10)(c)(iv), and 58-11a-302(13)(c)(iv), standards for the protection of cosmetology/barber, electrology, esthetics, and nail technology schools shall include:

(1) Schools shall not be required to release documentation of hours earned to a student until the student has paid the tuition or fees owed to the school as provided in the terms of the contract.

(2) Schools may accept transfer students. Schools shall determine the amount of hours to be accepted toward graduation based upon an evaluation of the student's level of training.

**R156-11a-607. Standards for a Written Contract.**

(1) In accordance with Subsection 58-11a-302(3)(c)(iv), 58-11a-302(6)(c)(iv), 58-11a-302(10)(c)(iv), and 58-11a-302(13)(c)(iv), cosmetology/barber, electrology, esthetics, and nail technology schools shall complete a written contract with each student prior to admission.

(2) Each contract shall contain, as a minimum:

(a) the current status of the school's accreditation;

(b) rules of conduct;

(c) attendance requirements;

(d) provisions for make up work;

(e) grounds for probation, suspension or dismissal; and

(f) a detailed fee schedule which shall include the student's financial responsibility upon voluntarily leaving the school or upon being suspended from the school.

(3) The school shall maintain on file a copy of the contract for each student and shall provide a copy of the contract to the division upon request.

**R156-11a-608. Standards for Staff Requirements of Schools.**

In accordance with Subsection 58-11a-302(3)(c)(iv), 58-11a-302(6)(c)(iv), 58-11a-302(10)(c)(iv), and 58-11a-302(13)(c)(iv), the staff requirement for cosmetology/barber, electrology, esthetics and nail technology school shall include:

(1) Schools shall be required to have, as a minimum, one licensed instructor for every 20 students, or fraction thereof, attending a practical session, and one licensed instructor for any group attending a theory session. Special guest speakers shall not reduce the number of licensed instructors required to be present.

(2) Schools may give credit for special workshops, training seminars, and competitions, or may invite special guest speakers who are not licensed in accordance with Section 58-11a-302, to provide instruction or give practical demonstrations to supplement the curriculum as long as a licensed instructor from the school is present.

(3) Student instructors shall not be counted as part of the instructor staff.

**R156-11a-609. Standards for Instructors.**

(1) In accordance with Subsections 58-11a-302(2)(c)(iv), 58-11a-302(5)(c)(iv), 58-11a-302(9)(c)(iv), and 58-11a-302(12)(c)(iv), cosmetology/barber, electrology, esthetics, and nail technology instructors may only teach in those areas for which they have received training and are qualified to teach.

(2) In accordance with Subsection 58-11a-102(21)(b), an individual licensed as a cosmetology/barbering instructor may teach esthetics in a licensed cosmetology/barber school or an approved cosmetology/barber apprenticeship, provided the individual can

demonstrate the same experience as required in Subsection 58-11a-302(9)(e).

(3) An instructor may only teach the use of a mechanical or electrical apparatus for which the instructor is trained and qualified.

**R156-11a-610 Standards for the Use of Acids.**

In accordance with Subsections 58-11a-102(25)(c), 58-11a-102(27)(i)(C) and 58-11a-501(17), the standards for the use of any acid or concentration of acids, shall be:

(1) The use of any acid or acid solution which would exfoliate the skin below the stratum corneum, including those listed in Subsections (3) and (4), is prohibited unless used under the supervision of a licensed health care practitioner.

(2) The following acids are prohibited unless used under the supervision of a licensed health care practitioner:

- (a) phenol;
- (b) trichloroacetic acid;
- (c) bichloroacetic acid;
- (d) resorcinol, except as provided in Subsection (4)(b); and
- (e) any acid in any concentration level that requires a prescription.

(3) Limited chemical exfoliation for an esthetician does not include the mixing and combining of skin exfoliation products or services, but does include:

- (a) alpha hydroxy acids of 30% or less, with a pH of not less than 3.0; and
- (b) salicylic acid of 20% with a pH of not less than 3.0.

(4) Chemical exfoliation for a master esthetician includes using:

- (a) those acids allowed for an esthetician;
- (b) modified jessner solution on the face and the tissue immediately adjacent to the jaw line;

(c) alpha hydroxy acids with a pH of not less than 1.0 and at a concentration of 50% must include partially neutralized acids, and any acid above the concentration of 50% is prohibited;

- (d) beta hydroxy acids with a concentration of not more than 30%; and
- (e) vitamin based acids.

(5) A licensee may not apply any exfoliating acid to a client's skin that has undergone microdermabrasion within the previous seven days.

(6)(a) A licensee shall prepare and maintain current documentation of the licensee's cumulative experience in chemical exfoliation, including:

- (i) courses of instruction;
- (ii) specialized training;
- (iii) on-the-job experience; and
- (iv) the approximate percentage that chemical exfoliation represents in the licensee's overall business.

(b) A licensee shall provide the documentation required by Subsection (6)(a) to the division upon request.

(7) A licensee may not use an acid or perform a chemical exfoliation for which the licensee is not competent to use or perform through training and experience and as documented in accordance with Subsection (6).

(8) Only commercially available products utilized in accordance with manufacturers' instructions may be used for chemical exfoliation purposes.

(9) A patch test shall be administered to each client prior to beginning any chemical exfoliation series.

**R156-11a-611. Standards for Approval of Mechanical or Electrical Apparatus.**

In accordance with Subsection 58-11a-102(27)(a)(i)(F)(II), the standards for approval of mechanical or electrical apparatus shall be:

(1) No mechanical or electrical apparatus that is considered a prescription medical device by the FDA may be used by a licensee, unless such use is completed under the supervision of a licensed health care practitioner acting within the scope of the licensee's license.

(2) Dermaplane procedures, dermabrasion procedures, blades, knives, lancets, and any tools that invade the skin or living cells are prohibited except for:

- (a) advanced pedicures; and
- (b) extraction of impurities from the skin.

(3) The use of any procedure in which human tissue is cut or altered by mechanical or energy form, including electrical or laser energy or ionizing radiation, is prohibited for all individuals licensed under this chapter unless under the supervision of a licensed health care practitioner acting within the scope of the licensee's license.

(4) To be approved, a microdermabrasion machine must meet the following criteria:

(a) specifically labeled for cosmetic or esthetic purposes;

(b) closed-loop vacuum system that uses a tissue retention device; and

(c) the normal and customary use of the machine does not result in the removal of the epidermis beyond the stratum corneum.

**R156-11a-612. Standards for Disclosure.**

(1) In accordance with Subsections 58-11a-102(25)(c) and (27)(i)(C), a licensee acting within the licensee's scope of practice shall inform a client of the following before applying a chemical exfoliant or using a microdermabrasion machine:

(a) that the procedure may only be performed for cosmetic and not medical purposes, unless the licensee is working under the supervision of a licensed health care practitioner, who is working within the scope of the practitioner's license; and

(b) the benefits and risks of the procedure.

**R156-11a-701. Curriculum for Electrology Schools.**

In accordance with Subsection 58-11a-302(6)(c)(iv), the curriculum for an electrology school shall consist of 500 hours of instruction in the following subject areas:

(1) Introduction as follows:

(a) history of electrology; and

(b) overview of curriculum.

(2) Basic Science and Anatomy as follows:

(a) medical definitions and diagnosis;

(b) prescription drugs affecting hair growth; and

(c) contraindications.

(3) Histology;

(4) Trichology;

(5) Endocrinology;

(6) Dermatology;

(7) Neurology as follows:

(a) anesthetics, including over-the-counter and prescription; and

(c) carpal tunnel syndrome.

(8) Angiology

(9) Psychology as follows:

(a) aesthetic/cosmetic electrolysis; and

(b) gender dysphoric clients.

(10) Practical Analysis as follows:

(a) evaluating the characteristics of skin;

(b) evaluating the characteristics of hair growth;

(c) needle/probe types, features and selection;

(d) insertions, considerations and accuracy; and

(e) one and two handed techniques.

(11) Infection and Disease Control as follows:

(a) pathogenic bacteria and non bacterial causes;

(b) American Electrology Association (AEA) infection control standards;

(c) aseptic techniques and sanitary procedures;

(d) sterilization methods and procedures; and

(e) health risks to the electrologist.

(12) Principles of Electricity and Equipment as follows:

(a) currents, measurement and classification;

(b) FDA Class 1 needle type epilating equipment;

(c) FDA Class 3 hair removal devices; and

(d) laser technologies for temporary hair removal prohibited unless performed under the supervision of a licensed health care profession; and

(e) epilator operation and care.

(13) Modalities for Needle Type Electrolysis as follows:

- (a) galvanic multi needle technique;
- (b) thermolysis manual technique;
- (c) thermolysis flash technique; and
- (d) blend and progressive epilation technique.
- (14) Clinical Procedures as follows:
  - (a) consultation;
  - (b) health/medical history;
  - (c) pre and post treatment skin care;
  - (d) normal healing skin effects;
  - (e) tissue injury and complications;
  - (f) treating ingrown hairs;
  - (g) face and body treatment;
  - (h) evaluation of treatments/regrowth;
  - (i) positioning and draping; and
  - (j) stress and relaxation techniques.
- (15) Developing a practice and business management as follows:
  - (a) professional associations;
  - (b) ethics;
  - (c) legal issues including:
    - (i) malpractice liability;
    - (ii) regulatory agencies; and
    - (iii) tax laws;
  - (d) public relations; and
  - (e) advertising.
- (16) State Board Exams Review; and
- (17) Elective Topics.

**R156-11a-702. Curriculum for Esthetics School - Esthetician Programs.**

In accordance with Subsection 58-11a-302(10)(c)(iv), the curriculum for an esthetics school esthetician program shall consist of 600 hours of instruction in the following subject areas:

- (1) manual lymphatic massage of the face and neck;
- (2) temporary removal of superfluous hair;
- (3) treatment of the skin;
- (4) packs and masks;
- (5) analysis of the skin;
- (6) application of make-up;
- (7) application of false eyelashes;
- (8) arching of the eyebrows;
- (9) tinting of the eyelashes and eyebrows;
- (10) history and theory of skin care;
- (11) electronic facials;
- (12) first aid;
- (13) chemistry of cosmetics;
- (14) skin treatments with and without machines;
- (15) anatomy and physiology;
- (16) sanitation, decontamination, and infection control;
- (17) waxing;
- (18) pedicures;
- (19) aromatherapy;
- (20) limited chemical exfoliation;
- (21) other related topics; and
- (22) state laws and rules.

**R156-11a-703. Curriculum for Esthetics School B Master Esthetician Programs.**

In accordance with Subsection 58-11a-302(10)(c)(iv), the curriculum for an esthetics school master esthetician program shall consist of 1,200 hours of instruction, 600 of which consisting of the curriculum for an esthetician program, the remaining 600 of which is in the following subject areas:

- (1) introduction consisting of:

- (a) history of master esthetics; and
- (b) overview of curriculum;
- (2) bacteriology, hygiene, sanitation, and sterilization techniques;
- (3) the immune system, skin disorders, and the prevention of infectious disease;
- (4) essentials of chemistry and advanced cosmetic chemistry;
- (5) the skin and the aging process, including damage to the skin;
- (6) lymphatic massage by manual and other means;
- (7) advanced anatomy, physiology, and histology of the skin;
- (8) body wrapping, including procedures, product ingredients, and contra-indications;
- (9) advanced pedicures;
- (10) hydrotherapy;
- (11) advanced waxing and temporary hair removal;
- (12) chemical exfoliation, including pre-exfoliation consultation, post-exfoliation treatments and reactions;
- (13) cardio pulmonary resuscitation (CPR) training;
- (14) advanced aromatherapy;
- (15) sanding and microdermabrasion, including training in the use of:
  - (a) electrical devices which use high-frequency current in the treatment of the skin, including:
    - (i) a device equipped with a brush to cleanse the skin;
    - (ii) an electrical device which uses galvanic current for the treatment of the skin;
    - (iii) a device which applies a mixture of steam and ozone to the skin; and
    - (iv) a device which is used to spray water and other liquids on the skin, and to stimulate circulation in the skin; and
  - (b) any mechanical device for the care and treatment of the skin which is approved by the division in collaboration with the board; and
- (16) other esthetic preparations or procedures.

**R156-11a-704. Curriculum for Nail Technology Schools.**

In accordance with Subsection 58-11a-302(6)(c)(iv), the curriculum for a nail technology school shall consist of 200 hours of instruction in the following subject areas:

- (1) safety and sanitation, including salon safety, bacteriology, and sterilization;
- (2) artificial nail techniques, including wraps, tips, gel, sculptured acrylic nail, nail art, and mechanical techniques;
- (3) cosmetic chemistry;
- (4) pedicuring including massage of the lower leg and foot;
- (5) anatomy and physiology;
- (6) nail and the disorders of nail;
- (7) skin and the disorders of the skin;
- (8) first aid;
- (9) theory of basic manicuring with hand and arm massage;
- (10) professional ethics/salon management/state laws; and
- (11) elective topics.

**R156-11a-705. Curriculum for Cosmetology/Barber Schools.**

In accordance with Subsection 58-11a-302(3)(c)(iv), the curriculum for a cosmetology/barber school shall consist of 2,000 hours of instruction, 600 of which consisting of the curriculum for an esthetics school esthetician program; 200 of which consisting of the curriculum for a nail technology school; and the remaining 1,200 of which in the following subject areas:

- (1) introduction consisting of:
  - (a) history of cosmetology/barbering; and
  - (b) overview of curriculum;
- (2) professional image, including professional ethics and salon management;
- (3) bacteriology, sanitation and sterilization, safety, and diseases and disorders;
- (4) decontamination, infection control, and salon safety;
- (5) properties of the hair and scalp;
- (6) draping;
- (7) shampooing, rinsing, and conditioning;

- (8) haircutting, including men and women;
- (9) hairstyling, including wet and thermal;
- (10) permanent waving;
- (11) hair coloring;
- (12) chemical hair relaxing;
- (13) thermal hair straightening;
- (14) wigs and artificial hair;
- (15) first aid;
- (16) anatomy and physiology;
- (17) chemistry for cosmetology/barbering;
- (18) professional ethics and salon management;
- (19) electricity and light therapy;
- (20) implements, tools, and equipment for cosmetology and barbering;
- (21) shaving;
- (22) clipper variations;
- (23) razor cutting for men;
- (24) mustache and beard design;
- (25) licensing laws and rules; and
- (26) elective topics.

**R156-11a-801. Approved Cosmetologist/Barber Apprenticeship Requirements.**

In accordance with Subsection 58-11a-102(1), the requirements for an approved cosmetology/barber apprenticeship shall include the following:

- (1) The supervisor shall have only one apprentice at a time.
- (2) There shall be a conspicuous sign near the work station of the apprentice stating "Apprentice in Training".
- (3) The supervisor and apprentice shall keep a daily record, which shall include the hours of theory instruction, the hours of practical instruction, the number and type of client services performed, and other services which will document the total number of hours of training. The record shall be available to the division upon request.
- (4) A complete set of cosmetology/barber texts shall be available to the apprentice.
- (5) An apprentice may be compensated for services performed.
- (6) The supervisor shall provide training and technical instruction of 2,500 hours using the curriculum defined in Section R156-11a-705.
- (7) The supervisor shall limit the training of the apprentice to not more than 40 hours per week and not more than five days out of every seven consecutive days.
- (8) An apprentice may not perform work on the public until the apprentice has received at least 10% of the hours of technical training, with at least a portion of that time devoted to each of the subjects specified in Section R156-11a-705.
- (9) Hours obtained while enrolled in a cosmetology/barber school shall not be used to satisfy the required 2,500 hours of apprentice training.

**R156-11a-802. Approved Esthetician Apprenticeship Requirements.**

In accordance with Subsection 58-11a-102(2), the requirements for an approved esthetician apprenticeship shall include:

- (1) The supervisor shall have no more than two apprentices at a time.
- (2) There shall be a conspicuous sign near the workstation of the apprentice stating, "Apprentice in Training."
- (3) The supervisor and apprentice shall keep a daily record, which shall include the hours of theory instruction, the hours of practical instruction, the number and type of client services performed, and other services, which will document the total number of hours of training. The record shall be available to the division upon request.
- (4) A complete set of esthetics texts shall be available to the apprentice.
- (5) An apprentice may be compensated for services performed.
- (6) The supervisor shall provide training and technical instruction of 800 hours using the curriculum defined in Section R156-11a-702.
- (7) The supervisor shall limit the training of the apprentice to not more than 40 hours per week and not more than five days out of every seven consecutive days.
- (8) An apprentice may not perform work on the public until the apprentice has

received at least 10% of the hours required in technical training, with at least a portion of that time devoted to each of the subjects specified in Section R156-11a-702.

(9) Hours obtained while enrolled in an esthetics school shall not be used to satisfy the required 800 hours of apprentice training.

**R156-11a-803. Approved Master Esthetician Apprenticeship Requirements.**

In accordance with Subsection 58-11a-102(3), the requirements for an approved master esthetician apprenticeship shall include:

(1) The supervisor shall have no more than two apprentices at a time.

(2) The apprentice shall be licensed as an esthetician.

(3) There shall be a conspicuous sign near the workstation of the apprentice stating, "Apprentice in Training."

(4) The supervisor and apprentice shall keep a daily record, which shall include the hours of theory instruction, the hours of practical instruction, the number and type of client services performed, and other services, which will document the total number of hours of training. The record shall be available to the division upon request.

(5) A complete set of esthetics texts shall be available to the apprentice.

(6) An apprentice may be compensated for services performed.

(7) The supervisor shall provide training and technical instruction of 1,500 hours using the curriculum defined in Section R156-11a-703:

(8) The supervisor shall limit the training of the apprentice to not more than 40 hours per week and not more than five days out of every seven consecutive days.

(9) An apprentice may not perform work on the public until the apprentice has received at least 10% of the required hours of technical training, with at least a portion of that time devoted to each of the subjects specified in Subsection R156-11a-703.

(10) Hours obtained while enrolled in an esthetics school shall not be used to satisfy the required 1,500 hours of apprentice training.

**R156-11a-804. Approved Nail Technician Apprenticeship Requirements.**

In accordance with Subsection 58-11a-102(4), the requirements for an approved nail technician apprenticeship shall include:

(1) The supervisor shall have no more than two apprentices at a time.

(2) There shall be a conspicuous sign near the workstation of the apprentice stating, "Apprentice in Training."

(3) The supervisor and apprentice shall keep a daily record, which shall include the hours of theory instruction, the hours of practical instruction, the number and type of client services performed, and other services, which will document the total number of hours of training. The record shall be available to the division upon request.

(4) A complete set of nail technician texts shall be available to the apprentice.

(5) An apprentice may be compensated for services performed.

(6) The supervisor shall provide training and technical instruction of 250 hours using the curriculum defined in Section R156-11a-704.

(7) The supervisor shall limit the training of the apprentice to not more than 40 hours per week and not more than five days out of every seven consecutive days.

(8) An apprentice may not perform work on the public until the apprentice has received at least 10% of the hours of technical training, with at least a portion of that time devoted to each of the subjects specified in Subsection R156-11a-704.

(9) Hours obtained while enrolled in a nail technology school shall not be used to satisfy the required 250 hours of apprentice training.

**R156-11a-805. Conflicts of Interest.**

An apprentice instructor may not be an employee of an apprentice or be involved in any relationship with an apprentice or others that would interfere with the instructor's ability to teach and train the apprentice.

**R156-11a-901. On the Job Training Internship.**

In accordance with Subsection 58-11a-304(8), students enrolled in a licensed cosmetology/barber school may participate in an on the job training internship if they meet the following requirements:

(1) The on the job training intern must have completed at least 1000 hours of the training contracted for with a cosmetology/barber school, of which 400 hours shall be clinical hours.

(2) There shall be a conspicuous sign near the work station of the on the job training intern stating "Intern in Training".

(3) A licensed cosmetology/barber supervisor shall supervise only one on the job training intern at a time.

(4) An on the job training intern, while working under the direct supervision of a licensed cosmetologist/barber, may perform the following procedures:

- (a) draping;
- (b) shampooing;
- (c) roller setting;
- (d) blow drying styling;
- (e) applying color;
- (f) removing color by rinsing and shampooing;
- (g) removing permanent chemicals;
- (h) removing permanent rods;
- (i) removing rollers;
- (j) applying temporary rinses, reconditioners, and rebuilders;
- (k) acting as receptionists;
- (l) doing retail sales;
- (m) sanitizing the salon;
- (o) doing inventory and ordering supplies; and
- (p) handing equipment to the cosmetologist/barber supervisor.

(5) The cosmetologist/barber supervisor must have in their possession a letter, which must be updated on a quarterly basis, from the school where the on the job training intern is enrolled stating that the on the job training intern is currently in good standing at the school and is complying with school requirements.

(6) Credit toward graduation for work as an on the job training intern will not be allowed.

**KEY: cosmetologists/barbers, estheticians, electrologists, nail technicians**  
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